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National Security And the Press

An Interview with CIA Chief William Casey

The Pelton spy trial has triggered the harshest confrontation between the government and the press since the publication of the Pentagon Papers. In an interview with WJR Editor Katherine Winton Evans, William Casey, director of the Central Intelligence Agency, gives the administration's side of the conflict over national security and the press.

WJR: Mr. Casey, what worries you most about the American press?

CASEY: I worry about the propensity of the American press to publish classified information, which destroys and jeopardizes intelligence sources and methods. As director of Central Intelligence, I am obligated under the National Security Act to protect those sources and methods.

WJR: What do you mean by a "propensity on the part of the press to publish classified information"?

CASEY: There's been a vast divulging of sensitive information at an unprecedented tempo in recent months. We've seen it destroy our ability to follow terrorists in specific instances. We've seen very important capabilities to understand and follow Soviet military plans and the development of their weapons jeopardized and diminished. It seems to be happening more frequently, more quickly and at an increasing tempo and is doing more damage than we can tolerate.

WJR: Do you think there's a changing attitude or standard in the press about what constitutes a threat to national security?

CASEY: I think there's not a very good general understanding of why we need to protect the intelligence sources and methods that are the basis of our national security. I am trying to correct that situation. All of us in the intelligence community have an obligation to sensitize the people in the media to this problem. We believe that fundamentally we all have the interests of our nation at heart. Nobody wants to hurt our national security, nobody wants to impair our intelligence capabilities, but we may not have done as good a job as we might have in sensitizing the media to the damage that is being done to our sources and methods. We're just now trying to do it in a more systematic and aggressive way.

WJR: Quiet diplomacy has been the traditional way for directors of the CIA to deal with the press on sensitive information. Do you regret that you chose a noisy confrontation with the press when you announced, for example, that you were asking the Justice Department to consider prosecuting news organizations for intercept disclosures and when you threatened to prosecute the *Washington Post* if it published details of the Pelton case?

CASEY: I was not alone in that. Many of us thought it was necessary to warn the media and ask the Justice Department to consider applying to the *Washington Post* the 1950 law prohibiting intercept disclosures. We do not see how, in fairness to the media, or in the discharge of our own obligations, we could permit the media to violate the law, which flatly prohibits the publication of communications intelligence, without apprising them that they were doing so and putting them on notice. That's what I did. I told people who were about to publish things that I thought they ought to know that if they published that kind of stuff they would be in violation of a flat prohibition the Congress has enacted. I don't think I threatened. I said I'm not threatening, but I think I ought to tell you you have this problem. I and others have notified and will continue to notify the Justice Department that it should look into this violation of law, or apparent violation of law. I don't think I was all that noisy. It was a private warning. It was the press that publicized my warning and made it public.

WJR: Why get tough now? NBC's Jim Polk reported on the operation Pelton revealed to the Soviets back in November and the *New York Times* wrote about the operation years ago. Why didn't you react then?

CASEY: I can't answer that. I wasn't here years ago when the *New York Times* wrote about it. There's always a weighing, a balancing of equities. Sometimes you take action and you in effect bring more attention to the matter. But we have all agreed that the tempo and number of unauthorized disclosures over the last several months has been such that we've found it necessary to deal with the problem more actively, more aggressively and to use all

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the legal authorities we have to deter further damage to our national security and our intelligence capabilities.

WJR: Why did you react so strongly and publicly over the press reporting of the operations Pelton revealed to the Soviets when the Soviets obviously already knew about them?

"It's just intellectually shallow to say that we can publish anything because the Soviets know about it. The media neither have the capability nor the authority to make that determination ."

CASEY: How do the media know what the Soviets know about intelligence operations? How do they know how much the Soviets know? How do they know at what level he received attention? How do they know what this will tell other countries? It's just intellectually shallow to say that we can publish anything because the Soviets know about it. The media neither have the capability nor the authority to make that determination, particularly when there are statutes that prohibit publication.

WJR: How are news organizations and reporters to know what is and what is not damaging to the national security?

CASEY: We must have closer cooperation and closer understanding about that. I think they know that publishing certain information can jeopardize lives and can jeopardize capabilities. There is a fairly wide understanding of that. We should work to make the media's understanding wider and deeper and fuller. And clearly the media—as all other citizens—are responsible for knowing the law of the land.

WJR: You seem to be looking for a way for news organizations, reporters and broadcasters to practice self-censorship, but how can they do that? You're not suggesting putting a CIA official in every newsroom?

CASEY: Of course not. That's a silly suggestion.

WJR: How will they know where the line is?

CASEY: They have a responsibility. People ought to know their responsibilities. People ought to know when they're near the line. We'd like to have them discuss the matter with us when they think they may be close to that line. You can't do much more than that. I'm gratified when the media have brought potentially damaging stories to our attention that were questionable and we've discussed them. Sometimes the press has decided that the information was not that important to publish because the likely damage outweighed the worth of getting the information out. In other instances, the media, reporters and others, have been willing to mitigate the damage by taking out particularly sensitive details that weren't necessary to the conveying of the broad story. We're always available to help on that. Anybody who is uncertain or has questions, all they have to do is pick up the phone and call here. [Director of Public Affairs] George Lauder will try to help them work it out.

WJR: Did the *Washington Post* behave in a responsible way after you asked them not to reveal the details of what Pelton had given the Soviets, and they trimmed their story?

CASEY: Well, the *Washington Post* certainly considered the whole matter in a very responsible way. I'm not really going to comment on whether some of the things that they published were not authorized to be released in the Pelton trial or whether they should have been published or whether they shouldn't have been published. I think on the whole the conduct of the *Washington Post* was responsible.

WJR: On CBS' "Face the Nation" on June 1, Bob Woodward of the *Post* said, "We're going to cover intelligence. We're going to write about it and the administration is not going to like where we draw the line." Mr. Casey, can reporters draw the line themselves?

CASEY: Some of them can. Some of them understand quite well and are rather careful. There are some who are in a rush to publish and are not particularly sensitive to national security and intelligence capabilities considerations.

WJR: Can you give me some examples?

CASEY: No, I'm not going to name names.

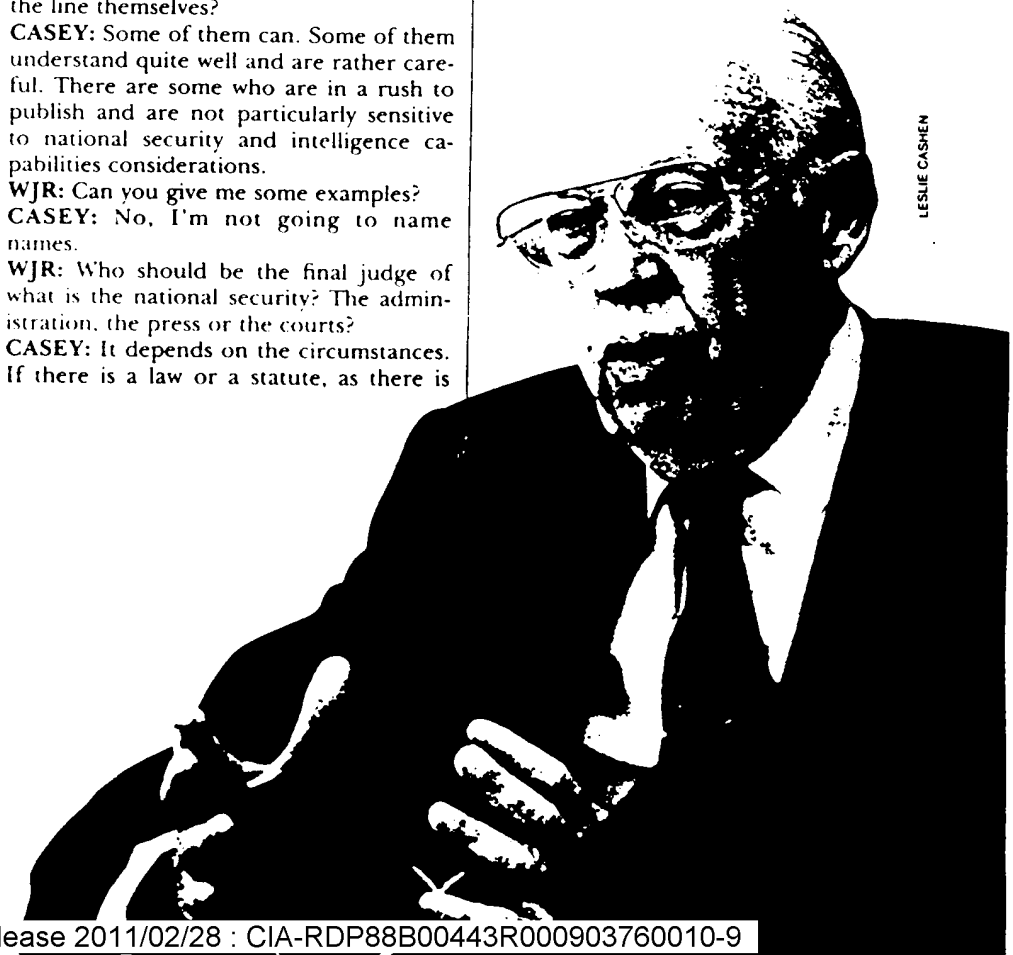
WJR: Who should be the final judge of what is the national security? The administration, the press or the courts?

CASEY: It depends on the circumstances. If there is a law or a statute, as there is with respect to communications intelligence, the courts would be the ultimate determiners. As to what the requirements of national security are, the elected government has the authority under the Constitution to protect the national security. And they need to make the judgment as to what it requires to maintain that security. It's a free country; the press may not always agree with the government. We recognize that. But the press has a responsibility and the press has a stake in the national security and that, we think, should cause them to proceed cautiously and carefully, to hear our point of view and to arrive at measured decisions as to what is appropriate and what is not appropriate for publication.

WJR: When you deal with the media, do you find a difference between television executives and newspaper editors in their understanding of, and sensitivity to, national security considerations?

CASEY: When you deal with a newspaper editor, you usually have more time to think about the situation. When you deal with a broadcast person, the deadline sometimes makes it difficult to give the matter adequate consideration. On the other hand, there are occasions when broadcast people will hold back and devote the time to thinking about the intelligence equities and understanding our concerns. We'd like that to happen more frequently.

WJR: Has coverage of the Pelton trial been responsible on the whole, do you think?



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"There are quite a few bits of sensitive information that have appeared in certain reporting about the Pelton trial that did not come out of the court proceedings . . . . We are concerned about that."

CASEY: I think coverage of the Pelton trial has been responsible on the whole. We do know, however, that there are quite a few bits of sensitive information that have appeared in certain reporting about the Pelton trial that did not come out of the court proceedings, or were not authorized to be released in the Pelton trial. We are concerned about that.

WJR: Critics are saying that the administration is going after the press to divert attention from the disarray of our intelligence operations, meaning spies on the payroll and secrets walking out the door. How do you answer that criticism?

CASEY: I simply say that is not true. We're concerned about protecting our intelligence capabilities. We caught a lot of spies. That's the work of the intelligence community—like the FBI and others. So we have no great apology. It's too bad we have had these spies and it's too bad we didn't catch them earlier, but we've had quite a good degree of success at catching people who are passing along information to other governments.

WJR: Could you give me just a couple of examples of when the press has endangered national security?

CASEY: When I do that, I simply tell the world, including our adversaries, more than I want to tell them about our intelligence priorities and capabilities. But I can say that it's well and widely known that we lost access to terrorist communications in recent months by virtue of press reporting of communications intelligence, which probably is in violation of a federal statute.

WJR: Are you talking about the Libyan intercept?

CASEY: Information about communications that might have alerted us to the bombings of the embassy and the Marine barracks in Beirut appeared in the press and those communications disappeared. The same thing happened to our knowledge of Libyan communications that alerted us to Libyan-planned attacks on Western installations.

WJR: But the communication between Libya and its bureau in East Germany, President Reagan talked about himself.

CASEY: President Reagan did not talk about it first. When he talked about it, he did so very carefully. He disclosed no sources. In the second place, one reason he was able to talk about it at all was that some explicit information had appeared in the media two weeks earlier. It was at that time that the communications were turned off. Get that distinction very clearly, because everybody's talking about President Reagan. That information was previously disclosed by the media before President Reagan talked about it.

WJR: Is the administration—or are you—intending to intimidate the press but not to prosecute? Is your threat to prosecute serious?

CASEY: We're all obligated to enforce the laws. I think everybody takes that seriously. And if those laws are violated to the detriment of our national security, we're obligated to enforce the law. There are judgments to be made. Sometimes we don't prosecute because the damage might be too serious. You want to get a case you are going to win. That's a decision that the Justice Department will have to make. But everybody feels the same obligation to apply and enforce the laws.

WJR: Do you think your frontal approach with the press has worked?

CASEY: I think I've gotten the attention of the press on this problem. I think that's a good thing. You're going to help me get more attention. The public has to understand that this is a problem. It has to be a sober, careful presentation of the problem. You call it a frontal approach. I can't get people's attention if I keep quiet. The leaders of the intelligence community believe we have an obligation to make the problem an issue and to explain what harm can result from loose handling of classified information, how it can damage our national security, our defense and the protection of our citizens against terrorism. If I just kept quiet, I wouldn't be doing my job.

WJR: Are there too many secrets? Would declassifying less important intelligence material make it easier to secure the rest?

CASEY: I think so. That's something we ought to work at. Don't think I'm blaming this whole problem on the media. The media is one element. We must have greater discipline within the government. People have to feel less free to talk, they have to realize that there is a penalty for violating their obligation to maintain the secrecy of classified information. We should work to make sure that the information that is classified really has to be classified. We can reduce the body of classified information, but that can't be done overnight and will take time. One of the considerations that is likely to be applied in enforcing the law is how sensitive and how critical the violation is. How damaging is it to our national security and to our intelligence capabilities? So in all these things I support focusing on the really damaging and critical disclosures.

WJR: Mr. Casey, if a government official who leaks a damaging secret to the Soviets is a traitor, what is a government official who leaks a damaging secret to a reporter?

CASEY: Well, he's certainly violated the trust that has been placed in him. He's violated his obligation as a federal employee. There are restrictions against disclosure of classified information and people who violate that obligation should be disciplined in some way. There are occasions where extenuating circumstances exist. Sometimes the violation results in a reprimand, sometimes it's a suspension, sometimes it's a firing. If the leak is deliberate, there may be prosecution. As there has been in one case—Samuel Loring Morison, the Navy intelligence officer.

WJR: If a government official leaks a damaging secret to a reporter and the reporter prints it, which one is the more guilty?

CASEY: Well, I don't think I want to weigh that. They both violated either an obligation or a responsibility. The government employee has a more immediate obligation; the reporter has a responsibility which he may or may not recognize.

WJR: Are the recent firings of officials at the Pentagon and the State Department for allegedly leaking to reporters, and your "get tough" approach all part of a big, overall administration plan to crack down on the press?

"Foreign powers have clearly been able to benefit greatly from sensitive, secret information they've been able to pick up in the world and the American media."

CASEY: No. It's not part of any effort to crack down on the press. We have no desire to crack down on the press. I believe in the press. I applaud the work of the press in exposing inefficiency, corruption, all kinds of other waste. I also applaud the media for raising policy questions related to national security. It is essential that those questions be raised in a manner which doesn't violate the classification of material that is secret, that doesn't damage either our national security or our intelligence capabilities. The press has to be able to understand the distinction between providing the public information they need to carry out the self-governing

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process, to understand what's happening in the world, and protecting that narrow segment of information which can be damaging to our national security. When Congress made the mere publication of information about communications intelligence a federal crime, they said, this applies only to a very narrow segment of information which is at once critical and vulnerable. That was very carefully done and there is a history behind it. During World War II, we were able to read the communications between the German command and its field commanders, and between Tokyo and its field commanders. One little whisper that we were able to read that and they would have turned it off. We would have lost that capability. We would have lost a lot of additional lives and the war would have lasted a lot longer. With that background, and because of the special vulnerability and sensitivity of communications intelligence, there is a statute that bars publication of such information. The statute hasn't been waived just because it hasn't been applied very actively. It has been used in a number of espionage cases. Also, Justice White said very clearly, in the Pentagon Papers case, that this statute applies to newspapers publishing information about communications intelligence and he would have no difficulty in supporting its use. So it is a very serious law.

WJR: But in 35 years, this is the first time it's been used against the press.

CASEY: It hasn't been used.

WJR: The spectre of using it has been raised.

CASEY: We told the press that they had better worry about it. If we hadn't done that, we wouldn't be doing our duty.

WJR: Isn't the real problem of leaks—from administration officials to reporters—the officials who leak the stories, not the reporters to whom they leak?

CASEY: Well, that is debatable. Certainly, the primary problem comes from the people in the government who leak the stories, and who violate their obligation to protect classified information. When somebody violates that obligation, when they hand out what might be said to be stolen goods, there is certainly some onus on the person receiving those goods. We should not close our eyes to that.

WJR: How do you feel about the use of lie-detector tests within the government to plug leaks?

CASEY: In order to plug leaks, as you put it, you have to investigate a situation where there is damage by disclosure of classified information. In the course of investigating, the polygraph is a tool we use. It's an effective tool. It is used throughout the government, on occasion, and I think it will continue to be used.

WJR: How do you and Secretary [of State] Shultz differ on the use of lie-detector tests of government officials?

CASEY: I don't think we differ as much as it is generally perceived. I don't want to speak for him. Neither one of us is in favor of widespread use of the polygraph. We both are willing to have the polygraph used to make the investigative process more effective when that appears to be appropriate to those who are conducting the investigation. FBI, Justice or whoever.

WJR: Would you submit to one?

CASEY: Oh, I do. In CIA and NSA, everybody has a polygraph before they come in. I don't think that would be practical government-wide. Nobody's ever recommended that. Although some of the media's discussion of polygraphs appears to assume that. That's another one of those misperceptions. I took the polygraph when I came to the CIA. I knew that everybody else took it, so I ought to take it.

WJR: Do you think more legislation is needed to safeguard national security information?

CASEY: I think it should be carefully considered.

WJR: What kind?

CASEY: A lot of people believe that the espionage laws are outdated, are no longer adequate to meet the requirements of protecting sensitive information, because the key prohibition is on directly passing information to a foreign power. Today the intelligence community sees much more information going to foreign powers by the leakage of sensitive information and the immediate broadcast of that information to the world. That's the fastest way to get it to a foreign power. Those foreign powers have clearly been able to benefit greatly from sensitive, secret information they've been able to pick up in the world and the American media.

WJR: What kind of new law would you recommend?

CASEY: Well, that's under discussion and study. I'm not recommending any particular law at this time. There is quite a bit of interest in the Congress in what kind of legislative steps are called for to protect our national security or intelligence capability more strongly. I suppose the law would apply to the misuse of classified information.

WJR: The misuse by the press?

CASEY: The misuse by anybody of classified information. And how far that goes or how it's applied within the government or outside the government, I don't have a judgment on that.

WJR: You're talking about a leak of classified information by somebody in the government to a member of the press who prints it.

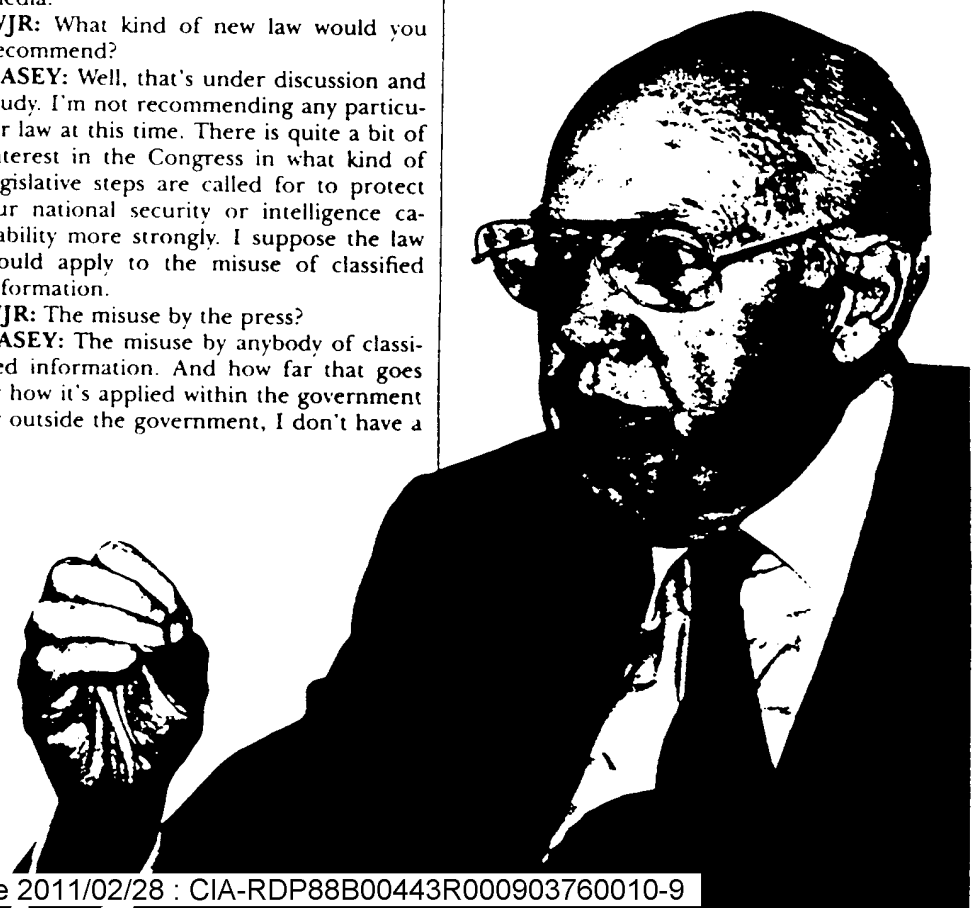
CASEY: To anybody.

WJR: Those laws are being considered now by you in the government?

CASEY: It's always under consideration. People on the Hill are always talking about it. Just where that process stands, I don't want to comment on that.

WJR: Can you sum up your overall concerns?

CASEY: There is just too much information that hostile countries can get from the American press. Sometimes by accident, sometimes because people violate their obligation, sometimes because reporters are assiduous and creative and put a lot of information together. We need to get a better control over that whole process. The way to get better control is to tighten up within the government and have a mutual acceptance of responsibility between the media and the government. Many people in the press are concerned and recognize that they have a responsibility too. They have as much interest as we do, certainly, in the security of the country, and the capability of our intelligence organizations to deal with an increasingly dangerous and complicated world. I am encouraged by the willingness among many in the media to face the problem, to understand it, to cooperate and to deal with it. I'm hopeful that will gradually develop and improve. ●



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